

2018

2018

Southern Methodist University, Dedman School of Law, Tsai Center for Law, Science and Innovation

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Tsai Today

EXPLORING HOW LAW AND POLICY AFFECT TECHNOLOGY AND SCIENTIFIC RESEARCH

AUGUST 2018



Game Boy

Video-game guru John Carmack shares innovating tips with Tsai Center audience

JOHAN CARMACK has been called “the greatest programmer alive,” “the Mozart of computer coding,” and “a brain on legs.”

As a co-founder of id Software in the early 1990s, Carmack helped revolutionize the video-gaming industry—in the process, achieving superstar status—by creating Doom, Quake, and other mega-hit game series.

In 2000, he ventured into private-sector rocketry, founding Armadillo Aerospace, a startup based in Mesquite, Texas. He is now chief technological officer for Oculus VR, a cutting-edge developer of virtual reality software and headsets acquired by Facebook in 2014 for \$2.3 billion.

Carmack spoke at SMU Dedman School of Law on March 21, in an appearance sponsored by the Tsai Center. Prof. Keith Robinson moderated the hour-long “Innovation Lecture,” which SMU students and faculty members, Dallas-area lawyers and technology entrepreneurs, and others attended.

Carmack appeared in his standard-issue Silicon Valley genius-millionaire’s uniform: black T-shirt, olive-gray jeans, running shoes, rectangular wire-rimmed glasses, tousled sandy hair, and incubating shadow-of-a-beard. **SEE GAME BOY ON PAGE 4**

Legal Apps

SMU LAW students are using digital tools to help the disadvantaged.

Not only that, they’re building the tools themselves, thanks to a new course. The law school offered “Technology, Innovation, and Law: Designing Legal Apps” for the first time in the fall of 2017. This course, taught by Professor Keith Robinson, was made possible by a grant from the Tsai Center.

Eight students split into three teams, and each team partnered with a Texas legal-aid organization to create a web-based app serving clients of that organization.

The results:

- **Christopher Cochran and Richard Sparr**, working with the Judge Elmo B. Hunter Legal Center for Victims of Crimes Against Women, developed an app that guides victims of sex trafficking through the process of getting a criminal record expunged or sealed through an order of nondisclosure.

- **Courtney Luster, Joshua Paltrineri, and Alexandria Rahn**, working with Texas Appleseed, developed an app to help defendants prepare court answers in debt collection cases.

- **Mary Sommers, Mary Shivers, and Jesus Velasquez**, working with Force for Immigrant Rights and Empowerment (FIRE), developed an app—in English and Spanish—to advise immigrants and others of their legal rights during encounters with law enforcement officials.

“This course has been one of the most rewarding things I have done as a lawyer,” Robinson said. “It allows students to learn a marketable technology skill, and the apps they develop will help legal aid organizations provide more services to their clients.”

SEE LEGAL APPS ON PAGE 4

Tsai Team

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David O. Taylor, Co-Director of the Tsai Center for Law, Science and Innovation and Associate Professor of Law

Staff

Natalie Thompson Greco '05, Tsai Center Director of Programs and Operations

Bruce Tomaso, writer

Monika Norman, photographer

Bret Redman, photographer

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Advisory Panel

Molly Cain, Director, Office of Venture & Innovation, United States Department of Homeland Security

Erin Nealy Cox '95, United States Attorney for the Northern District of Texas

Steven Dietz '87, Senior Vice President and General Counsel, Siemens PLM Software Inc.

Frederick Grinnell, Robert McLemore Professor of Medical Science, Department of Cell Biology, Ethics in Science and Medicine Program, UT Southwestern Medical Center

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Molly Buck Richard '81, Founding Partner, Richard Law Group

Barton E. Showalter '93, Partner and Firmwide Chair of Intellectual Property, Baker Botts LLP

Frank Vecella, Principal, McKool Smith

Jeremy Vickers, Executive Director, Institute for Innovation and Entrepreneurship, University of Texas at Dallas

Jaime L. Walkowiak '05, Chief Operating Officer, Baylor Research Institute & Senior Vice President of Research, Baylor Scott & White Health

The Honorable T. John Ward, U.S. District Judge, Ret. and Shareholder, Ward & Smith Law Firm

Prof. Jerry F. White, Adjunct Professor and Director of the Caruth Institute for Entrepreneurship, SMU Cox School of Business

Prof. Jingbo Ye, Associate Professor of Physics, SMU Dedman College of Humanities and Sciences

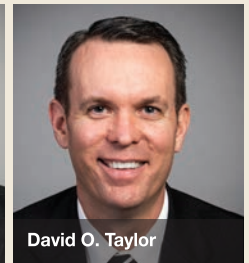
Hubert Zajicek, CEO and Co-Founder, Health Wildcaters

From the Co-Directors

AS THIS NEWSLETTER HIGHLIGHTS, the Tsai Center had an eventful year. We sponsored our first international event, a symposium in Taipei where over 25 law professors discussed new paradigms of law. We held our first Innovation Lecture, featuring the creator of the groundbreaking video games Quake and Doom. And we hosted two events focused on blockchain and cryptocurrency: a panel of attorneys and investors addressing risk and regulation in the emerging markets using these technologies, and a symposium where law professors from Columbia, Maryland, Indiana, and Seton Hall analyzed how these technologies fit within existing legal regimes. The Tsai Center also funded new projects by SMU law professors, including cutting-edge research and a new course where law students developed legal apps. We also continued some of our most successful programs. Our annual intellectual property symposium featured chief intellectual property counsel from IBM and Johnson & Johnson, and our Tsai Talks attracted local leaders at the intersection of law and technology. Beyond all of this, one of our Advisory Panel members became the U.S. Attorney for the Northern District of Texas. In short, we're proud of what the Tsai Center and its people accomplished this past year. We're also looking forward to the exciting events and projects in store for the upcoming year. Follow us on Twitter @SMUTsaiCenter to get the latest updates, and we'll see you at our next event.



W. Keith Robinson



David O. Taylor

W. Keith Robinson and David O. Taylor

TSAI CENTER CO-DIRECTORS AND ASSOCIATE PROFESSORS OF LAW

GLOBAL SPOTLIGHT

Tsai Center Co-Directors Visit Taiwan

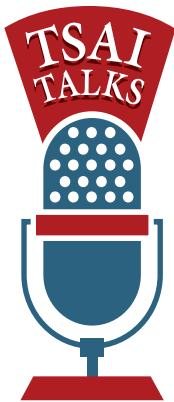


● In December, the Tsai Center co-sponsored an international symposium in Taipei, Taiwan focused on new paradigms of law. The event took place at National Chengchi University's Research and Innovation Incubation Center. Over 25 law professors from across the United States and Asia participated. Presentations addressed challenges new technologies and legal developments present to existing competition, environmental, human rights, intellectual property, regulatory, and tax laws. Prof. Robinson discussed the Internet of Things, and Prof. Taylor addressed the Supreme Court's

revolution in patent eligibility law. The symposium was co-sponsored by National Chengchi University College of Law, Indiana University McKinney School of Law, and the University of Maine School of Law.

● Tsai Center Co-Directors Robinson and Taylor gave presentations to patent law students at National Taiwan University in Taipei. Prof. Robinson discussed the relationship between the Internet of Things and existing patent law doctrines, while Prof. Taylor discussed the extraterritorial scope of U.S. patent law.





The Tsai Center hosts Tsai Talks, presentations and discussions focusing on real-world examples of the practice of law. Last year's Tsai Talks included:

- **Creating Growth-Oriented Intellectual Property Strategies for Startups:** Michael Henry '12, Principal and Founder of Henry Patent Law, discussed challenges drafting and prosecuting patent applications for high-tech inventions in emerging technologies, as well as founding his own patent law firm.

- **Technology and Data Protection in the Aviation Industry:** Donald Broadfield, Jr., Chief Intellectual Property & Data Counsel, American Airlines, Inc., spoke about legal issues related to maintenance and distribution of proprietary data, the need to adapt to keep pace with technological improvements, and data privacy and security legal developments.



- **Is That Fair (Use)? Third Party Trademarks in Film, Print, Video Games and other Media:** Tamera Bennett, Attorney at the Bennett Law Office, discussed the trademark doctrine of fair use in the context of use of third party trademarks in audiovisual media, such as Aqua's song "Barbie Girl" and a scene in the movie "The Hangover" featuring Louis Vuitton luggage.

- **Advice for Practicing Technology Law In-House:** Irwin Barnes, former Deputy General Counsel, Fidelity Investments, gave his top ten tips for practicing technology law in-house, including the importance of choosing the right area of law to increase professional work satisfaction, writing succinctly, learning how to talk to clients so they will understand, and never judging people based on their clothes or title.

- **A Discussion of Privacy Regulation and Cybersecurity:** Jim Elliott, Assistant Regional Director, Southwest Region, Federal Trade Commission, and Richard "Jay" Johnson, Partner, Jones Day, debated the need for privacy regulations and cybersecurity, with Mr. Elliott advancing, and Mr. Johnson challenging, the position that the government plays an important role in establishing privacy standards and holding companies accountable to protect consumers' data privacy and security interests.



Tsai Center Hosts Symposium on IP Valuation

- The U.S. patent system has been shaken to its foundations by recent shifts in the law, according to speakers at a daylong symposium sponsored by the Tsai Center.

As a result, even the nation's top patent law experts—many of whom took part in the September 29 symposium—are uncertain about the market worth of many patents. That uncertainty, symposium attendees were told, could harm not only patent holders, but also capital investors, startups, researchers, and inventors—and ultimately American consumers.

The symposium drew about 125 people to SMU's Dedman School of Law to hear leading patent-law specialists from business, academia, and government, including keynote speakers Phil Johnson, Senior Vice President – Intellectual Property Strategy and Policy, Johnson & Johnson, and Manny Schecter, Chief Patent Counsel, IBM. Those in the audience included Dallas-area lawyers, SMU faculty members, law students, and others.



"The law of intellectual property has changed, sometimes dramatically, in the last few years," said Professor Taylor in his opening remarks at the law school's 14th Annual Symposium on Emerging Intellectual Property Issues. And, Taylor said, more change is on the way, as more cases wind their way through the courts. This trend, he said, could further muddle a vital question: "How do you determine the value of intellectual property?"

Symposium participants pointed to two legal developments over the past five or six years that eroded long-held assumptions about the U.S. patent system:

- A series of Supreme Court decisions restricting the kinds of products and processes that can be patented, with particular impact on digital technologies, such as software, and biotechnology.
- New U.S. Patent and Trade Office rules that make it far easier to administratively challenge existing patents.

If innovators can't be sure that their patents will be upheld, symposium participants cautioned, they'll have a hard time knowing how to assess the value of those patents. And without that information, venture capitalists, financial institutions, and others will be less willing to invest in efforts to identify new discoveries and inventions in fields as varied as pharmaceuticals, medical diagnostics, information technology, avionics, telecommunications, and robotics.

"This isn't just about the patent system," said Barbara A. Fiacco, a partner with Foley Hoag LLP in Boston. "It's about the American innovation economy."

Science & Technology Law Review Symposium

- **You can spend Bitcoin.** You can invest in Bitcoin. And you can use Bitcoin to borrow cash.

That third option was the topic of the April 9th Science & Technology Law Review Symposium, "Cryptocurrency Collateralization," hosted by the Tsai Center.

The discussion was moderated by **Peter Winship**, the James Cleo Thompson, Sr., Trustee Professor of Law at SMU, who teaches domestic and international commercial law.



SEE STLR ON PAGE 4

Cover Stories

Game Boy

CONTINUED FROM THE COVER

A visionary with an unapologetically product- and profit-oriented outlook—in his 20s, he was known as an avid collector of expensive customized Ferraris—he shared insights into what makes a successful innovator. Here's a sampling:

● **There are endless opportunities for ambitious innovators.** In the world of computer technology, “each year there’s new untrampled ground.” “Almost nothing is fully optimized.” “The vast majority of industries are under-engineered.”

● **Anyone can do it.**

The person in any organization with the best new idea might be the janitor. “The potential for innovation is within all of us.”

● **There’s more than one solution.** “There are so many ways to attack problems, so many solutions.” Knowing this, we shouldn’t waste time and energy “looking for that one big answer.”

● **Spread the imagination wealth.** “You’re much more likely to hit on a successful innovation if you’re working on several innovations at the same time.”

● **Have a plan, and work at it.** “Ideas usually don’t come from just staring into space. ... There is a mechanical process.”

● **Challenge your ideas.**

Question them. Test them until they crumble or prove unshakable.

“I’ve gotten much more aggressive and antagonistic toward my own ideas.” Whenever you have what you think is a great idea, “try to break it—fast.”

● **Don’t fear the face-plant.**

“Innovation implies a huge level of failure.”

● **Stick with it.**

“Sometimes, I’m not able to kill an idea, and it haunts me for years.”

● **Don’t rush an innovation to market before it’s ready. But don’t obsess over it until you’re convinced it’s perfect.**

“You can be too early to succeed, or too late to matter.”

● **Remember work-life balance.**

After allowing for sleep, there are roughly 100 hours in a week. That means if you work 60 hours a week, you still have 40 hours to yourself. How you spend those 40 hours can define your life.

“I walk my kids to school every day. I make their lunches. Sunday is family day. On Sundays, I don’t do anything else.”

● **But don’t be afraid to work your butt off.**

“Work-life balance is fine, but there are a lot of benefits to obsession.” There’s something to be said for “burning the candle at both ends and getting a little close to the flame.”



From left, Mary Sommers, Joshua Paltrineri, Alexandria Rahn, Prof. Keith Robinson, Courtney Luster, Mary Shivers, and Christopher Cochran

Legal Apps

CONTINUED FROM THE COVER

He added that he looks forward to teaching the class again in the fall of 2018.

Dean Jennifer Collins said the teamwork that grew out of the class benefits all involved. “Students learn how to use technology in innovative ways to solve complex legal problems, legal aid groups can reduce cost and improve outcomes, and the law school can help underserved communities access the legal assistance they so desperately need,” she said.

The students’ apps were showcased at a January 18 public unveiling in Florence Hall. Robinson told those gathered for the event that the course fit nicely with Dean Collins’s vision for the Tsai Center, the law school’s first academic center. A key element of that vision, he said, is that “the Center would support faculty in the development of new courses at the law school that would prepare our students to practice law in the digital age.”

Cochran, the co-creator of the app for human-trafficking victims, said that before taking Robinson’s class, he had no experience in website development or code-writing. “I had a Myspace page back in the day. That was about it,” he said with a laugh. “It was rewarding, to, first, do something good for people in need, second, learn a tangible workplace skill, and, third, actually create a product,” Cochran said.

STLR

CONTINUED FROM PAGE 3

Presenters included law professors who are experts in the fields of commercial and banking law and regulation of financial markets:

- **Xuan-Thao Nguyen**, Indiana University’s Robert H. McKinney School of Law;
- **Ronald Mann**, Columbia Law School;
- **Kristin Johnson**, Seton Hall University School of Law; and
- **Kevin Tu**, University of Maryland Francis King Carey School of Law.

They agreed that the use of Bitcoin as collateral—like many other aspects of

the emerging cryptocurrency industry—is something consumers, lenders, and government regulators are still sorting out.

A key factor that’s given rise to borrowing against Bitcoin and other cryptocurrencies, the panelists said, is the desire of holders to monetize those digital assets without selling them.

“Many people would like to be able to leverage the coins they have,” Nguyen said.

Already, several startup lenders have set up shop online. But it’s a form of finance still in its nascent stages, the panelists said, and neither the rules nor the risks have been fully enunciated.

“This market has limited regulatory oversight,” Johnson said.

One drawback to lending against Bitcoin involves keeping an eye on the collateral: When a cryptocurrency is transferred from one owner to another, the transaction is anonymous—and irreversible.

Mann suggested that one solution might be a digital “lien” of some sort that would transfer with the cryptocurrency and be registered, along with the transaction itself, in the “blockchain” of digital records that sustain cyber-payment systems.

But how—or how well—such safeguards might work is a question yet to be fully answered, the panelists said.

To read the rest of this article, visit law.smu.edu/TsaiSTLR.

Event Spotlight

Bitcoin Event Draws Overflow Crowd

BITCOIN IS MAKING LOTS OF CHANGE, and that means rich opportunities for bright, entrepreneurial students of law and finance. But it also brings risk.

That was a key theme of a panel discussion on cryptocurrencies attended by an overflow crowd of more than 150 SMU students, faculty members, and others in Underwood's Walsh classroom in February.

The event, "Bitcoin: Business Opportunities and Regulatory Risk," was a pioneering joint venture of the Dedman School of Law's Tsai Center for Law, Science and Innovation and the Cox School of Business's Caruth Institute for Entrepreneurship.

The collaboration brought together business and legal experts and was moderated by Simon Mak, a Professor of Practice in Entrepreneurship at the Cox School. The panelists included:

- **Shamoil Shipchandler**, Director of the Fort Worth Regional Office of the U.S. Securities and Exchange Commission;
- **Arnold Spencer**, General Counsel for Coinsource, an operator of Bitcoin ATMs;
- **Julia Bradley**, Coinsource's Associate General Counsel; and
- **Nimit Patel**, a Partner in NextProtocol Capital, an investment fund focusing on cybercurrencies and other cryptoassets.

Mak said Bitcoin, "the first currency of the Internet," grew out of the worldwide financial disaster brought on by the 2008 collapse of the subprime mortgage bubble. He said the failure of government regulators and traditional investment institutions to protect consumers by properly policing subprime trading led to "a global movement to decentralize and democratize money."

Bitcoin and other cryptocurrencies allow direct, anonymous transactions between parties, without reliance on government-issued currencies, centralized authorities, or third parties such as banks. Mak called cryptocurrency "a huge, big, ginormous experiment to change the way that money works."



But the experiment has its risks, said Shipchandler, the SEC regulator. One is money-laundering. "Criminals use cryptocurrencies to disguise their activities," he said. Another is that transactions are immutable—once digital money is moved from one "cyberwallet" to another, there's no way to get it back. Thus, even when a fraudulent scheme is uncovered, "making investors whole is much more difficult," Shipchandler said.

Spencer, a former federal prosecutor who specialized in financial fraud cases, said the government already keeps an eye on cryptocurrency investments. "One of the great myths is that there are no regulations," he said.

Moreover, Bitcoin and other cryptocurrencies, Spencer said, allow individuals to do business with one another in a way that's "cheaper, faster, and safer, with no middleman." He added: "If you can create something that is faster, cheaper, and safer, people are

going to adopt it." And, he said, while governments around the world still struggle to understand the emerging technology—"what it is, how to regulate it, how to tax it"—they will, eventually, embrace it. "Governments are going to love this when they fully understand it," Spencer said. "The government will warm up to Bitcoin."

Patel said Bitcoin is best understood as "a payment network," and added: "The best investments anybody can make are generally in networks." What differentiates cybercurrencies from many other types of networks, he said, is that anyone who invests in Bitcoin automatically becomes "both an owner and a user of that network."

Bradley said she's living proof that cyberfinance is creating new career paths every day for young professionals. When she graduated from law school in 2016, she said, she knew little about Bitcoin. She went to work for Coinsource that same year, and now oversees the company's efforts to place its ATMs in all 50 states.

Mak told the business and law students in the audience that, thanks to SMU's emphasis on innovation and entrepreneurship, they're well-positioned to explore "a world filled with opportunities." In less than 10 years, he noted, the invention of Bitcoin has given rise to 1,500 cryptocurrencies, with a combined market capitalization of \$400 billion. "Everyone is jumping into this thing," he said.

Including SMU. "We're going to have more events like this," pledged Professor Robinson, noting the overflow crowd.



Faculty Updates



● **Chris Jenks, Director of the Criminal Clinic and Associate Professor of Law**, served the last year as Special Counsel to the General Counsel for the Department of Defense.

During his time at the Pentagon, he worked on a range of technology issues, including presenting to U.S. Southern Command on congressionally-mandated reports on use of clandestine offensive cyber tools. He also twice served as a member of U.S. delegations to United Nations governmental experts meetings in Geneva, Switzerland addressing lethal autonomous weapons.



● **Tom Mayo, Altshuler Distinguished Teaching Professor and Professor of Law**, continues to explore the ongoing ethical, legal, and medical assault on the concept of brain death. He has lectured

on this topic for the SMU Maguire Center for Ethics and Public Responsibility and, more recently, at a conference of pediatric neurologists. His work has implications for organ donation and transplantation, establishing a standard of care for critical care medicine in intensive care units, and medical treatment decisions at the end of life.

SMU Launches Incubator

● SMU recently launched an incubator in Mockingbird Station, where students, faculty, and staff will plan, produce, and pitch their ideas for businesses and products. The incubator will provide space for law school small business, patent, and trademark clinic students to meet with entrepreneurs to support their innovative efforts. "This space will serve as a platform for the development of both profit and not-for-profit enterprises," said Steven C. Currall, SMU Provost.

He is also applying the emerging lessons of behavioral economics to medical treatment decisions, particularly those that involve uncertain prognostics and deeply subjective value judgments. His chapter on "Bioethics" appeared this spring in *Fundamentals of Health Law*, published by the American Health Lawyers Association.



● **Orly Mazur, Assistant Professor of Law**, will be publishing her newest work, "Taxing the Robots," in the *Pepperdine Law Review*. This article examines what the new

automation era means for tax law and policy. She argues that while the prevalent use of robots and other manifestations of artificial intelligence may eliminate jobs and create income inequality and budget deficits, tax policy measures can play an important role in addressing these concerns. Professor Mazur is also continuing to consider the U.S. tax implications of operating a global business in the "cloud." Her most recent article on this topic focuses on the pressures cloud computing places on traditional value added tax systems. Building upon previous work, this article seeks to provide governments with a framework for issuing guidance that addresses the tax challenges of the digital economy.



● **Keith Robinson, Altshuler Distinguished Teaching Professor, Tsai Center Co-Director, and Associate Professor of Law**,

worked with West Academic this past year to publish a book, *Acing Intellectual Property: A Checklist Approach to Solving Intellectual Property Problems*. With the assistance of a grant from the Tsai Center, he also created a new course focusing on the development of legal apps. He is currently working on a project addressing the impact of the doctrine of divided infringement on emerging technologies such as the Internet of Things. The Center for the Protection of Intellectual Property recently awarded him a Thomas Edison Innovation Fellowship for the 2018-2019 academic year, and SMU Provost Steve Currall named him to the newly-formed SMU Entrepreneurship and Innovation Advisory Board.



● **Meghan Ryan, Gerald J. Ford Research Fellow, Altshuler Distinguished Teaching Professor, and Professor of Law**, is examining how the evolution of patent

eligibility jurisprudence has decreased transparency and thus affected the availability of evidence in criminal and civil cases. She is showing how this has proven especially challenging given a criminal defendant's constitutional right to set forth a complete defense. But she is also exploring the implications in other important areas dealing with the right to vote and national security law. She also continues her interdisciplinary work establishing a scientific basis for fingerprint evidence.



● **David Taylor, Tsai Center Co-Director and Associate Professor of Law**, continues his efforts on patent reform. This year he will publish a co-authored report addressing patent

eligibility in the *Berkeley Technology Law Journal*, and he recently completed two additional articles on point. He continues his service on eligibility reform efforts for the American Intellectual Property Law Association (AIPLA), and he has joined several amicus briefs addressing eligibility. He also recently met with USPTO Director Andrei Iancu to discuss reform of the Patent Trial and Appeal Board. SMU Provost Steve Currall named him to the SMU Entrepreneurship and Innovation Advisory Board, the AIPLA named him to its Amicus Committee, and he continues to serve on the Advisory Council of the U.S. Court of Appeals for the Federal Circuit.



● **Jenia Turner, Amy Abboud Ware Centennial Professor in Criminal Law**,

has conducted research examining the explosive growth of digital evidence in criminal cases and how courts and attorneys have attempted to manage the unique challenges of criminal e-discovery. This research included extensive interviews of prosecutors and defense attorneys who handle digital evidence. Her research will appear in an article, "Criminal Case Discovery in the Digital Age: Cooperation and Its Limits," concluding that e-discovery in criminal cases needs to be regulated more closely and exploring the analogical value and limitations of the civil discovery model of e-discovery regulation.

Alumni Spotlight

Erin Nealy Cox '95

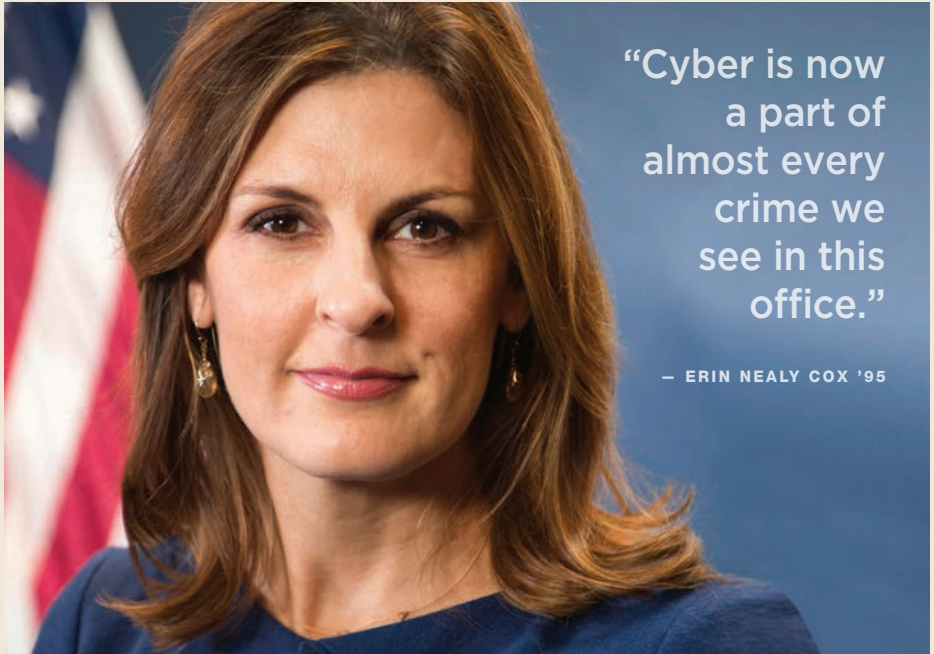
ERIN NEALY COX '95 is truly a crimefighter for the 21st century. The U.S. Attorney for the Northern District of Texas is an expert in prosecuting cybercrimes.

Nominated by President Trump last September, the 48-year-old *magna cum laude* SMU law graduate oversees federal prosecutions in 100 Texas counties with a combined population of about 8 million. Nine of the state's 20 biggest cities are under her jurisdiction. She's in charge of roughly 100 government attorneys and a like number of support staff in five divisions.

Few lawyers in America possess her combination of training and career experience in the law, technology, business, and administration. In addition to her SMU law degree, Nealy Cox holds a degree in finance from the McCombs School of Business at the University of Texas at Austin. After law school, she clerked for U.S. District Judge Barefoot Sanders of the Northern District of Texas and Chief Judge Henry Politz of the U.S. Court of Appeals for the Fifth Circuit. She also served as a litigation associate at two prestigious law firms—Simpson Thacher & Bartlett in New York City and Carrington Coleman Sloman & Blumenthal in Dallas.

She joined the U.S. Attorney's Office in Dallas in 1999. In 2004, she was assigned to Justice Department headquarters in Washington, as chief of staff and senior counsel in the Office of Legal Policy, the division responsible for coordinating and advancing the department's top policy and legislative initiatives. In her 19 months there, those priorities, under President George W. Bush, included an intense focus on counter-terrorism.

In 2008, she left the government—and the law—to take what she calls a “giant career leap” into the cyberworld: She started the Dallas



“Cyber is now a part of almost every crime we see in this office.”

— ERIN NEALY COX '95

office of Stroz Friedberg, a worldwide business consulting firm specializing in cybersecurity and investigations. Eventually, she was promoted to lead the firm's global response unit, assisting clients across the world that fell victim to intrusions, data breaches, and other cyber risks. At the time of her appointment as U.S. Attorney, Nealy Cox was a senior adviser at McKinsey & Co., serving in its cybersecurity and risk practice.

She is married to Trey Cox, a Dallas trial lawyer. They have three school-age daughters.

Nealy Cox spoke with Dallas writer Bruce Tomaso about her office's efforts to combat cybercrimes, about her winding career path, and about what law schools can do to best prepare their students for the challenges awaiting them in the digital world. (The interview was edited for clarity and conciseness.)

Q: With cybercrimes so much on the rise, there's a real value to businesses and to the public in having prosecutors who are intimately familiar with the subject. Is this an area that's underserved?

A: As recently as five years ago, I might have said so. But cyber is so prevalent these days. In the U.S. Attorney's Office,

we've really prioritized it. We're in a better position today than we were a few years ago to provide folks with insights into the subject. We're always getting better, but we can always do more. It's hard to even suggest that cybercrime should be a category of its own. Cyber is now a part of almost every crime we see in this office. There's hardly a case that doesn't touch digital or cyber in some way.

Q: What can law schools and, more specifically, institutions like the Tsai Center for Law, Science and Innovation do to help prepare students to pursue opportunities in this area?

A: Understanding what takes place at the confluence of law and technology and business is critical, and the Tsai Center is uniquely suited to meet that need. Rarely did any issue that I worked on in the private sector not implicate at least one of those realms. If we think of cybersecurity as purely a technical problem, or purely a business issue, or if we try to silo it into pure law, it's very difficult to deal with. We have to take a multidisciplinary approach to this complex problem.

● To read the rest of Nealy Cox's interview, visit law.smu.edu/TsaiAlumni.

**Tsai
Center**

for Law, Science
and Innovation

law.smu.edu/tsaicenter

15th Annual Symposium on Emerging Intellectual Property Issues

Disruptive Ideas and Emerging Technology

A one-day symposium exploring the latest news, legal developments, and judicial decisions, including panels on:

- Blockchain
- Artificial Intelligence
- Machine Learning
- Virtual and Augmented Reality
- Quantum Computing

FEATURED SPEAKERS



● James Smith, Chief Intellectual Property Counsel, Ecolab



● Karyn Temple, Acting Register of Copyrights

Friday, September 21, 2018

Symposium: 8:30 a.m. – 3:15 p.m.
Reception: 3:15 – 4:15 p.m.

Location

SMU Dedman School of Law
Hillcrest Classroom
6550 Hillcrest Ave., Dallas, TX

To register or for more information, please visit law.smu.edu/tsaicenter

Tsai Events

2018

September 21

- 15th Annual Symposium on Emerging Intellectual Property Issues: Disruptive Ideas and Emerging Technology

Fall 2018 and Spring 2019

- Tsai Talks: Lunch hour presentations on topics at the intersection of law, science, and innovation

2019

Spring

- SMU Science and Technology Law Review Symposium
- Leadership Lecture Series

For more info, visit law.smu.edu/tsaicenter and follow us on Twitter @SMUTsaiCenter